



U.S. Department  
of Transportation

**Pipeline and  
Hazardous  
Materials Safety  
Administration**

400 Seventh Street, S.W.  
Washington, D.C. 20590

**JUL 12 2005**

DOT-E 12358  
(THIRD REVISION)

EXPIRATION DATE: June 30, 2007

1. GRANTEE: BIC Corporation  
Milford, CT
2. PURPOSE AND LIMITATION:
  - A. This exemption authorizes shipments of lighters to be transported in commerce from the U.S. to a BIC facility in Canada, without marking the exemption number on shipping papers and packagings, or applying labels, as required by the Hazardous Materials Regulations (HMR). This exemption provides no relief from any regulations other than as specifically stated.
  - B. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 172.400 in that the labeling requirement is waived, and §§ 172.301(c) and 172.203(a) in that marking the exemption number on shipping papers and packagings is waived.
5. BASIS. This exemption is based on the BIC Corporation's application dated June 28, 2005 submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):**JUL 12 2005**

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/Division	Identification Number	Packing Group
Lighters or Lighter refills	2.1	UN1057	n/a

7. SAFETY CONTROL MEASURES:

- a. PACKAGINGS: Packagings prescribed meet DOT specification packaging requirements under § 173.308.
- b. Lighters shipped under the terms of this exemption must be approved under § 173.21(i).
- c. Shipments must comply with all DOT requirements for lighters, including marking (except as stated in paragraph 7(g)), shipping paper and placarding requirements.
- d. Packages will originate only from BIC facilities located in the U.S. and be transported to a BIC facility in Ontario, Canada.
- e. The lighters must be transported in closed vehicles by contract carriers in exclusive use service. The vehicles must be sealed at the point of loading.
- f. The packages must be prepared, loaded and unloaded by appropriately trained BIC personnel or agents acting on BIC's behalf.
- g. MARKING: Marking the exemption number on shipping papers and packagings is waived.

8. SPECIAL PROVISIONS.

- a. A person who is not a holder of this exemption who receives a package covered by this exemption may reoffer it for transportation provided no modifications or changes are made to the package and it is reoffered for transportation in conformance with this exemption and the HMR.
- b. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

**JUL 12 2005**9. MODES OF TRANSPORTATION AUTHORIZED. Motor vehicle.

10. MODAL REQUIREMENTS. A current copy of this exemption must be carried aboard each motor vehicle used to transport packages covered by this exemption and be readily available in accordance with § 177.817(e).

11. COMPLIANCE. Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C.5101 et seq:

- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Persons operating under the terms of this exemption must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- o Registration required by § 107.601 et seq., when applicable.

Each "hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS. Shipments or operations conducted under this exemption are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this exemption must notify the Associate Administrator for Hazardous Materials Safety -- OHMEA, in writing, of any incident involving a package, shipment or operation conducted under terms of this exemption.

Issued in Washington, D.C.



Robert A. McGuire

*fr* Associate Administrator for  
Hazardous Materials Safety

**JUL 1 2 2005**

DATE

Address all inquiries to: Associate Administrator for Hazardous  
Materials Safety, Pipeline and Hazardous Materials Safety  
Administration, Department of Transportation, Washington, D.C.  
20590. Attention: PHH-31.

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PO: AM